

Message Text

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ACTION ARA-10

INFO OCT-01 EUR-12 IO-10 ISO-00 ARAE-00 USIE-00 AGR-05

CEA-01 CIAE-00 COME-00 DODE-00 EB-07 FRB-03 H-02

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USMISSION EC BRUSSELS IMMEDIATE

USMISSION OECD PARIS IMMEDIATE

AMCONSUL RIO DE JANEIRO IMMEDIATE

AMCONSUL SAO PAULO IMMEDIATE

AMEMBASSY LONDON IMMEDIATE

C O N F I D E N T I A L SECTION 1 OF 2 BRASILIA 5776

E.O.11652: GDS

TAGS: OVIP, ETRD, BR

SUBJECT: ROBINSON VISIT: TRADE CONSULTATIVE GROUP

1. SUMMARY: US AND BRAZILIAN DELS AGREED ON ESTABLISHMENT OF INTER-AGENCY OVERALL BILATERAL CONSULTATIVE GROUP AT DEP. ASST. SECRETARY LEVEL TO MEET NOT LESS THAN ONCE A YEAR. SUBJECTS FOR CONSULTATION WILL BE BASED ON BROAD MANDATE AND EITHER SIDE CAN REQUEST MEETING WHEN NECESSARY. SUB-GROUP ON TRADE WILL MEET IN BRASILIA WITHIN 90 DAYS AND AGENDA WILL BE MTN TOPICS AND BILATERAL ISSUES WITH SPECIFIC DISCUSSION ON COUNTERVAILING DUTIES AND EXPORT SUBSIDIES. US DEL ADVISED THAT QUESTION OF BRAZILIAN IMPORT PRACTICES AND TARIFF LEVELS MAY BE RAISED. GOB COMPLAINED OF LACK OF MTN ATTENTION TO LDC DIFFERENTIATED TREATMENT CONCERNS, WHILE NOTING THAT US HAS DONE BETTER THAN OTHER DC'S. THEY RECOGNIZED THAT DEMANDS FOR TOTAL LDC EXEMPTION

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FROM COUNTERVAILING ACTIONS NOT REALISTIC. ON SUPPLY ACCESS

GOB DOES NOT HAVE FIRM POSITION FOR MTN HANDLING, FAVORS
MULTI-PRODUCT APPROACH ON COMMODITIES, AND CALLED COFFEE
NEGOTIATIONS A DECEPTION. GOB INTERESTED IN STUDYING
POSSIBILITIES FOR MTN QUID PRO QUO TO PRODUCING COUNTRIES ON
SUPPLY ACCESS. ON TRANSNATIONALS IN OAS, GOB POINTED TO LIMITS
OF COLLABORATION WITH US. END SUMMARY:

2. FOLLOWING IS UNCLEARED ACCOUNT OF JULY 11 TECHNICAL LEVEL
MEETING ON COMPOSITION AND AGENCIES FOR BILATERAL CONSULTATIVE
GROUP AND FOR SUB-GROUP ON TRADE CONSULTATIONS. GOB REPS WERE
CONFINED TO FOREIGN MINISTRY OFFICIALS (ROUANET, BATH, BARTHEL
ROSA). US PARTICIPANTS WERE STATE (FISHLOW, SCHMIDT, DAVILA),
STR (LANDE), COMMERCE (HOSTLER), AND EMBASSY (VAZNAUGH, TAHER).

3. OVERALL CONSULTATIVE GROUP. US SIDE SUGGESTED THAT COMPOSITION
FOR OVERALL ECONOMIC CONSULTATIONS SHOULD BE AT DEPUTY
ASSISTANT SECRETARY LEVEL AND THAT US WOULD HAVE INTER-AGENCY
REPRESENTATION. GROUP SHOULD MEET NOT LESS THAN ONCE
A YEAR AND US HAD NO PREFERENCE AS TO LOCALS, WASHINGTON OR
BRASILIA. GOB RESPONDED THAT IT WAS IN GENERAL AGREEMENT WITH
THIS STRUCTURE AND STATED THAT GOB PREFERRED THAT CONSULTATIONS
MAINTAIN FLEXIBILITY BOTH IN FORM AND SUBSTANCE, SO THAT EITHER
SIDE COULD REQUEST A MEETING OF GROUP WHEN NECESSARY. GOB
SUGGESTED FOLLOWING MANDATE FOR CONSULTATIVE GROUPS:

A) REVIEW OF ECONOMIC ISSUES OF MUTUAL CONCERN AT GLOBAL,
HEMISPHERIC AND BILATERAL LEVELS.

B) CONSULT ON AND SEEK TO IDENTIFY SOLUTIONS TO SPECIFIC
ECONOMIC PROBLEMS.

FOR SUB-GROUP ON TRADE, BRAZILIANS SAID SOME MANDATE COULD BE
APPLIED WITHIN CONTEXT OF TRADE ISSUES. BOTH SIDES AGREED
THERE WAS NO NEED AT PRESENT TIME TO CONSIDER ESTABLISHMENT
OF ADDITIONAL SUB-GROUPS, AND BRAZILIANS NOTED THEIR DESIRE
TO AVOID A PROLIFERATION OF SUB-GROUPS. ON WORK OF SUB-GROUPS,
ROUANET (HEAD OF FOREIGN TRADE POLICY DIVISION) SAID GOB AGREED
WITH US ON DESIRABILITY TO REEXAMINE TECHNICAL PROBLEMS AT
TECHNICAL LEVELS, ALTHOUGH SUB-GROUPS SHOULD GO BEYOND EXAMINATION
OF PROBLEMS AND SHOULD BE ABLE TO IDENTIFY SOLUTIONS.

4. SUB-GROUP ON TRADE: FISHLOW PROPOSED THAT SUB-GROUP MEET
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IN BRASILIA WITHIN NEXT 90 DAYS, POSSIBLY IN SEPTEMBER, IN
ORDER TO MAINTAIN MOMENTUM OF BILATERAL CONSULTATIONS AND TO
HAVE OPPORTUNITY TO EXAMINE MTN ISSUES BEFORE OCTOBER MEETING
IN GENEVA. HE SAID US REP WOULD MOST LIKELY BE AT SAME
LEVEL AS OVERALL CONSULTATION GROUP AND WOULD BE CO-CHAIR
BY STATE AND STR. BRAZILIANS RESPONDED THAT MEETING WITHIN
90 DAYS WAS DESIRABLE BUT SEPT. PRESENTED PROBLEMS FOR GOB
BECAUSE OF INITIAL MEETING OF GOB-EC JOINT COMMISSION, TEXTILE

NEGOTIATIONS WITH EUROPEANS, AND ENGA 7TH SPECIAL SESSION. THEY SUGGESTED MID OR LATE AUG. AS PREFERABLE. FURTHER DISCUSSION OF SPECIFIC DATE WAS SUSPENDED SO THAT BOTH SIDES COULD EXAMINE THEIR RESPECTIVE CALENDARS FURTHER, WITH AGREEMENT, IN ANY CASE, THAT SUB-GROUP MEETING SHOULD TAKE PLACE WITHIN 90 DAYS. LATER IN THE DAY, ROUANET, IN CONVERSATION WITH SCHMIDT AND VAZNAUGH, SAID THAT FIRST WEEK OF OCT. WOULD PROBABLY BE ACCEPTABLE TO GOB, ASSUMING THAT TALKS WITH EC WOULD BE OUT OF THE WAY BY END OF SEPT. GOB REPRESENTATION FOR SUB-GROUP WOULD BE A CABRAL DE MELLO LEVEL.

5. AGENDA FOR SUB-GROUP: IN RESPONSE TO US COMMENT THAT SUBJECTS FOR SUB-GROUP DISCUSSIONS SHOULD BE MORE SPECIFIC THAN THE GENERAL MANDATE PROPOSED BY GOB FOR OVERALL CONSULTATIVE GROUP, ROUANET SUGGESTED THAT AGENDA ITEMS COULD BE MTN AND BILATERAL ISSUES, WITH SPECIFIC DISCUSSION ON COUNTERVAILING DUTIES. US REPLIED THAT THIS GENERAL AGENDA WAS SATISFACTORY SO LONG AS IT WAS UNDERSTOOD THAT MTN RUBRIC WOULD PERMIT INTRODUCTION OF FULL RANGE SPECIFIC ISSUES BEING TREATED IN MTN AND THAT DISCUSSION OF COUNTERVAILING DUTIES SHOULD APPROPRIATELY INCLUDE EXPORT SUBSIDIES. GOB AGREED THAT THESE CLARIFICATIONS WERE UNDERSTOOD. US ALSO MENTIONED THAT ON BILATERAL ISSUES, US MIGHT INTRODUCE QUESTIONS RELATED TO PROBLEMS US EXPORTERS HAVE REPORTED CONCERNING HIGH BRAZILIAN TARIFF LEVELS AND DIFFICULTIES IN ACCESS TO BRAZILIAN MARKET.

6. DISCUSSION OF SPECIFIC ITEMS THAT TRADE SG COULD TAKE UP LED TO EXTENSIVE COMMENTS BY FOREIGN MINISTRY REPS ON SUPPLY ACCESS AND COMMODITIES, COUNTERVAILING DUTIES AND SUBSIDY ISSUE IN MTN, AND MULTINATIONAL CORPORATIONS. DURING TALKS US DELEGATION CONFINED COMMENTS ON SPECIFICS OF INDIVIDUAL TRADE ISSUES TO AUTHORIZED POSITIONS AND DID NOT ENTER INTO CONFIDENTIAL

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DETAILED DISCUSSION OF US POSITIONS.

7. MTN: SCHMIDT AND LANDE GAVE GENERAL REVIEW OF MTN PROCESS TO DATE, NOTED DIRECT RELATIONSHIP BETWEEN TIMING ON NEGOTIATION OF TARIFF LEVELS AND RECOVERY OF US ECONOMY, AND STRESSED USG DESIRE TO MOVE ON NTB'S. MTN DISCUSSION CENTERED ON COUNTERVAILING DUTIES AND SUBSIDIES ISSUE AND GOB REQUESTED EXPLANATION AND SPECIFICS ON US PROPOSED 3-LEVEL CLASSIFICATION FOR SUBSIDIES. ON PERMISSIBLE PRACTICES, ROUANET SAID GOB WOULD LIKE TO KNOW WHAT US MEANT BY "AIDS TO LDC'S". HE SAID GOB COULD ACCEPT THE GENERAL US PROPOSAL BUT WAS CONCERNED BY INDICATION THAT US NEGATIVE LIST WOULD BE APPLICABLE TO ALL COUNTRIES. HE SAID US OBJECTIVES VIS-A-VIS OTHER DEVELOPED COUNTRIES WOULD NOT BE WEAKENED BY INCLUSION OF STATEMENT, WITH WHATEVER ESCAPE CLAUSE WAS NECESSARY, THAT PROMISED

SOME MEASURE OF PREFERENTIAL TREATMENT FOR LDC'S. HE SAID BRAZIL WAS CONCERNED OVER TENDENCY TO LEAVE LDC TREATMENT FOR LAST, WHICH DIMINISHED INTENT OF TOKYO DECLARATION. US SIDE COMMENTED THA DOMESTIC POLITICAL SUPPORT FOR MTN DEPENDED TO AN IMPORTANT DEGREE ON THE ADMINISTRATION'S ABILITY TO DEMONSTRATE PROGRESS TOWARD REDUCTION OF EXPORT SUBSIDIES. US REPS EMPHASIZED THAT US HAS ALREADY TAKEN SIGNIFICANT STEPS ON COUNTERVAILING/SUBSIDY ISSUE AND SUGGESTED THA BRAZIL AND OTHER LDC'S COULD USEFULLY PUT PRESSURE ON OTHER INDUSTRIALIZED COUNTRIES AT THIS TIME. DURING THIS EXCHANGE ON GOB DISSATISFACTION OVER FAILURE OF MTN TO ADDRESS MORE SERIOUSLY DIFFERENTIAL TREATMENT FOR LDC'S, BRAZILIAN DELEGATION DID NOT GOB'S SATISFACTION THAT US WAS WELL IN ADVANCE OF OTHER DEVELOPED COUNTRIES ON THIS ISSUE.

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USMISSION OECD PARIS IMMEDIATE

AMCONSUL RIO DE JANEIRO IMMEDIATE

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AMEMBASSY LONDON IMMEDIATE

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8. IN REPLY TO US QUESTION FOR MORE SPECIFICS ON WHAT THEY WERE THINKING OF AS "SPECIAL TREATMENT", ROUANET SAID THAT

BRAZIL IN ITS PROPOSAL HAS BEEN AS CONCRETE AS POSSIBLE AT THIS STAGE AND THAT THE SPECIFICS NEED TO BE NEGOTIATED. HE SAI GOB WAS ATTEMPTING TO TAKE A REASONABLE POSITION AND, UNLIKE SOME OTHER DEVELOPING COUNTRIES, WAS NOT PROPOSING THAT LDC'S HAVE AN UNRESTRICTED RIGHT TO SUBSIDIES. HE SAID GOB ACCEPTS THE NEGOTIATION OF LIMITS ON SPECIFIC LDC SUBSIDIES. HE SAID BRAZILIANS HAVE BEEN CRITICIZED BY OTHER LDC'S BECAUSE OF THEIR EASONABLE PROPOSAL FOR DIFFERENTIATED TREATMENT THAT DID NOT DEMAND COMPLETE EXEMPTION FROM DEVELOPED COUNTRY COUNTERVAILING ACTION.

9. ACCESS BY SUPPLY-COMMODITIES: BRAZILIAN SIDE SAID THAT SOUTO MAIOR, IN OPENING SESSION PREVIOUS DAY WITH UNDER SECRETARY ROBINSON, HAD SPELLED OUT GOB VIEW ON ACCESS TO SUPPLY
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(SEPTEL), HAVING NOTED THE LACK OF SYMMETRY BETWEEN EXPORTS OF DIFFERENT PRODUCTS, SUCH AS OIL WHERE THE PROBLEM WAS USPLY ACCESS AND COFFEE WHERE PROBLEM WAS MARKET ACCESS. GOB WAS INTERESTED IN EXAMINING MULTI-PRODUCTS SCHEMES, SUCH AS THE WILSON PROPOSAL. FISHLOW RESPONDED THAT SYMMETRY BASICALLY EXISTS IN THE CONTEXT OF INDIVIDUAL PRODUCTS AND NOTED THE CLEAR LACK OF SYMMETRY WHEN HIGH PRICE DOES NOT CALL FORTH MORE SUPPLY. HE SAID VARYING MARKET CIRCUMSTANCES FOR DIFFERENT PRODUCTS ILLUSTRATED DIFFERING CONDITIONS OF PRICE AND SUPPLY ELASTICITY. IN A WORLD EMERGING FROM ECONOMIC RECESSION, IT WAS LOGICAL THAT CONSUMERS WOULD BE CONCERNED OVER POSSIBLE MONOPOLISTIC PRACTICES. ACCESS TO SUPPLY WHEN PRICES ARE HIGH IS THE QUID PRO QUO FOR ACCUMULATED STOCKS WHEN PRICES ARE LOW.

10. SERGIO BATH, HEAD OF FOOFF BASIC PRODUCTS DIVISION, REFERRED TO UNDER SECRETARY'S REFERENCE PREVIOUS DAY TO MUTUALITY OF PRODUCER/CONSUMER INTERESTS IN COMMODITY QUESTIONS AND SAID HAT THE TEST OF SUCH A MUTUALITY OF INTERESTS IS THE NEGOTIATION OF AGREEMENTS ON SPECIFIC COMMODITIES AND THAT GOB IS CURRENTLY DISSATISFIED AND DISCOURAGED OVER THE UNWILLINGNESS OF CONSUMERS TO DEMONSTRATE A MUTUALITY OF INTERESTS IN SPECIFIC SCHEMES. BATH THEN LAUNCHED INTO A LONG DISCOUSE ON THE LATEST COFFEE NEGOTIATIONS IN LONDON AND BITTERLY CRITICIZED CONSUMER ACTIONS. HE SAID BRAZIL HAD BEEN CANDID AND REALISTIC IN ITS APPROACH TOWARD A NEW COFFEE AGREEMENT AND THAT, AFTER DISCUSSIONS WITH OTHER COUNTRIES, BRAZIL HAD AGREED TO PUT ASIDE A NUMBER OF ISSUES THAT WERE IMPORTANT TO IT. HE SAID BRAZIL HAD GONE INTO THE LONDON MEETING WITH THE FEELING THAT THERE WAS A GENERAL MEETING OF MINDS AMONG THE PRINCIPAL PRODUCERS AND CONSUMERS, BUT DISCOVERED DURING THE LAST WEEK OF THE MEETING THA THE CONSUMERS' REAL POSITION WAS COMPLETELY DIFFERENT FROM EARLIER INDICATIONS. BATH SAID BRAZIL HAD ACTED IN A MODERATE WAY TO SEEK A COFFEE AGREEMENT AND THAT THE "DECEPTION"

EXPERIENCED FROM THE CONSUMERS' REVERSAL WOULD INFLUENCE GOB
VIEWS REGARDING COMMODITY AGREEMENTS IN GENERAL AND THE CONSIDERATION
OF NEW AGREEMENTS ON COCOA AND SUGAR IN PARTICULAR.
US SIDE COMMENTED THAT DETAILS OF THE LATEST COFFEE NEGOTIATIONS
WERE NOT AVAILABLE HERE AND, REAFFIRMING USG INTENTION
TO CONCLUDE A NEW ICA, SUGGESTED THE NEED FOR CLARIFICATION
BEFORE REACHING ANY FINAL CONCLUSION.
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1. ON SUPPLY ACCESS, ROUANET SAID GOB DOES NOT YET HAVE A
FIRM POSITION ON HOW TO DEAL WITH THIS QUESTION TO THE MTN AND
COMMENTED THAT THE QUESTION OF HOW TO NEGOTIATE ON SUPPLY
ACCESS WAS NOT IMMEDIATELY RELEVANT SINCE THIS IS A FAIRLY
NEW ISSUE OF CONCERN AND WAS NOT CONTEMPLATED IN THE TOKYO
DECLARATION. HE SAID THE IMPORTANT CONSIDERATION
AT THIS TAGE WAS TO GIVE FURTHER STUDY TO THE ENTIRE QUESTION
OF SUPPLY ACCESS AND TO EXAMINE POSSIBILITIES FOR QUID PRO QUO
CONCESSIONS THAT COULD BE GIVEN TO THE PRODUCING COUNTIRES.
HE SAID GOB HAD NOT YET DEFINED WHAT QUID PRO QUO WOULD BE
MOST AVAILABLE BUT HE SUGGESTED THE FOLLOWING POSSIBILITIES:
ACCESS TO CONSUMER COUNTRY MARKETS, AVOIDANCE OF TARIFF ESCALATION,
ACCESS TO SUPPLY OF MANUFACTURED PRODUCTS, ACCESS BY
LDC'S TO INDUSTRIAL INPUTS (E.G., FERTILIZERS FOR BRAZIL),
AND DIFFERENTIATED TREATMENT IN OTHER AREAS OF MTN. HE
SUGGESTED THERE COULD BE A GLOBAL QUID PRO QUO ON THE BASIS
OF GENERAL PROGRESS IN THE TRADE NEGOTIATIONS. HE SAID BRAZIL
FAVORED A REFORM OF THE RULES AND PROCEDURES OF INTERNATIONAL
TRADE AND SAID THAT SUCH REFORM COULD BE ACCOMPLISHED THROUGH
"NORMATIVE" CONCESSIONS BY DC'S AND LDC'S RATHER THAN BY
JUST REWRITING OF RULES AND REGULATIONS.

12. DURING COURSE OF DISCUSSION ON OVERALL CONSULTATIVE GROUP,
THERE WAS SOME EXCHANGE ON SUBJECT OF TRANSNATIONAL ENTERPRISES.
FISHLOW COMMENTED THAT TNE DISCUSSIONS IN OAS SHOULD BE RESUMED
ON THE ECONOMIC ASPECTS AND NOT THE LEGALISTIC QUESTIONS. HE
INVITED BRAZILIANS TO WORK WITH US FOR DEVELOPMENT OF SATISFACTORY
PRINCIPLES ON TNE'S AND STATED THAT US WOULD PREFERE
THAT RESUMED DISCUSSIONS TAKE PLACE AT TECHNICAL LEVEL DEALING
WITH SPECIFIC ISSUES RATHER THAN BY OAS AMBASSADORS ON BROAD
GENERALIZED LEVEL. ROUANET RESPONDED THA GOB WAS COMMITTED
TO CODE OF CONDUCT IN UN FORUM AND WAS CONCERNED THAT OAS WORK
WOULD CONFLICT OR OVERLAP WITH UN EFFORT. HE SAID OAS EFFORT
WS TOO CONCENTRATED ON "ILLICIT ACTIVITIES" AND THA FOCUS
SHOULD BE ON ECONOMIC ASPECTS. GOB WAS OBLIGED TO SUPPORT
RESOLUTION ALTHOUGH WITH RESERVATIONS REGARDING TOO MUCH
EMPHASIS ON MORAL ASPECTS, POSSIBILITIES OF OAS-UN INCONSISTENCY,
AND INCLUSION OF "BALANCING" ELEMENTS IN DRAFT. HE
SAID GOB DID NOT AGREE THAT GOVERNMENTS SHARED RESPONSIBILITY
FOR BEHAVIOR OF TNE'S. ROUANET DID NOTE, HOWEVER, THAT OAS

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DRAFT HAS BEEN IMPROVED AND THAT GOB MAY SUPPORT IT IN VOTE
WITHOUT RESERVATIONS. HE SAID GOB FELT THAT FURTHER DISCUSSION
ON TNE'S SHOULD BE AT POLITICAL LEVEL RATHER THAN
TECHNICAL. BRAZIL HAD SUBSCRIBED TO PRINCIPLES PRESENTED BY
LA GROUP AND MUST ADHERE TO THEM. HENCE, THERE WAS A LIMIT
TO GOB ABILITY TO COLLABORATE TIWHT THE US ON THIS QUESTION.
HE SAID GOB HOPES TO AVOID CONTENTIOUS ISSUES IN FURTHER TNE
DISCUSSIONS BUT IF SUCH ARISE, BRAZIL WILL SUPPORT LA POSITION.
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